

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESALE PRICE LITIGATION

THIS DOCUMENT RELATES TO ALL  
CONSOLIDATED ACTIONS

MDL 1456

CIVIL ACTION NO.  
01-CVS-12257-PBS

Hon. Patti B. Saris

**NOTICE OF WITHDRAWAL OF APPEARANCE OF COUNSEL**

Notice is hereby given of the withdrawal of appearance of Lisa Khandhar and Stephen W. Kilar as counsel for Defendant Dey L.P. in the above captioned matter. Sarah L. Reid, Neil Merkl, Phillip D. Robben, Clifford Katz, Damon Suden, Sung W. Kim, Marisa A. Lorenzo, Douglas E. Julie, Brendan Cyr, Michael J. Maloney and Taraneh J. Marciano of Kelley Drye & Warren; Kathleen T. Carter of Ward, Norris, Heller & Reidy LLP; and William Coleman Hubbard of Nelson, Mullins, Riley & Scarborough will continue to serve as counsel for defendant Dey L.P. in the above captioned matter.

Notice is also hereby given of the withdrawal of appearance of Lisa Khandhar, Stephen W. Kilar and Beth Lillian Domenick as counsel for Defendant Dey Inc. in the above captioned matter. William A. Escobar, Sarah L. Reid, Neil Merkl, Christopher C. Palermo, Philip D. Robben, Antonia F. Giuliana, Clifford Katz, Sung W. Kim, Damon Suden, Marisa A. Lorenzo, Douglas E. Julie, Brendan Cyr, Michael J. Maloney and Taraneh J. Marciano of Kelley Drye & Warren; Donald Wayne Bivens of Meyer Hendricks & Bivens PA; Martin F. Murphy of Foley Hoag LLP; and Thomas S. D'Antonio of Ward, Norris, Heller & Reidy, LLP will continue to serve as counsel for defendant Dey Inc. in the above captioned matter.

Respectfully Submitted,

By: /s/ Neil Merkl  
 Neil Merkl (*pro hac vice*) (NY Bar # 1929058)  
 Philip D. Robben (*pro hac vice*) (NY Bar # 2928711)  
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**CERTIFICATE OF SERVICE**

I certify that a true and correct copy of the foregoing was delivered to all counsel of record by electronic service pursuant to Paragraph 11 of Case Management Order No. 2, by sending on January 26, 2010, a copy to LexisNexis File & Serve for posting and notification to all parties.

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/s/ Neil Merkl

Neil Merkl